

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 25, 1998

DIVISION TWO

Court convened at 9:15 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and J. Chlanda, Deputy Clerk.

B107815 People
 v.
 Garcia

Merits:

Argued by Mark Alan Hart for appellant and by Martin Pitha, Deputy Attorney General for respondent. Cause submitted.

B115817 People
 v.
 Thornton & Jackson

Merits:

Argued by James Bostwick for appellant and by Andrew Amerson, Deputy Attorney General for respondent. Cause submitted.

B116479 Rodriguez
 v.
 County of L.A.

Merits:

Argued by Daniel Barber for respondent. No appearance on behalf of appellant. Submitted.

DIVISION TWO (Continued)

B115354 Robinson
v.
Moghadam

Merits:

Argued by Angela Robinson, appellant in propria persona and by Charles Rubel for respondent. Cause submitted.

B099411 Hutchings
v.
Prudential Calif. Realty

Merits:

Argued by David Cordier for appellant and by Peter Krupinsky for respondent. Cause submitted.

B113727 Khatib
v.
Mahmood

Merits:

Argued by Sylvia Paoli for appellant and by James McGee for respondent. Cause submitted.

B096798 Pacheco
v.
Riley

Merits:

Argued by Sylvia Paoli for appellant and by Robert Murray for respondent. Cause submitted.

DIVISION TWO (Continued)

B117379 People
 v.
 Tracchia & Mejico

Merits:
Argued by Carla Johnson and Allen Weinberg for appellants and by
Stephanie Miyoshi. Deputy Attorney General for respondent. Cause
submitted.

B113000 Highlands Insurance Company
 v.
 McFarland Energy Inc., et al.

Merits:
Argued by Charles Avrith for appellant and by Jules Zeman for respondent
and by Robert Lawrence for respondent. Cause submitted.

B104155 Epps, et al.
B111060 v.
B096529 Jenkins

Merits:
Argued by Guillermo Schnaider for appellant and by Norman Pine for
appellant and by Thomas Szakall for respondent and by Lyle Middleton for
respondent. Cause submitted.

B102960 Lake Colorado Assoc., etc.
 v.
 Ray Wilson Co., et al.

Merits:
Argued by Todd Moore for appellant and by Maxine Lebowitz for
respondent and by Murray Helm for respondent and by Gary Hamblet for
respondent. Cause submitted.

Justice Nott leaves the bench.

September 25, 1998-Continued

DIVISION TWO (Continued)

B099998 Calif State Electronics Assoc.
v.
Sony Corp of America, et al.

Merits:

Argued by Richard Fine for appellant and by Michael and Denis Rice for respondents. Submitted.

Justice Fukuto leaves the bench.

Justice Nott resumes the bench.

B096840 Weiss
B095277 v.
Hammer, et al.

Merits:

Argued by Hillel Chodos for appellant and by Daniel Petrocelli; Thomas Lambert; Lawrench Barth; Kendall Caudry and Harriet Posner for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B114156 Edward R. O’Carroll (Not for Publication)
v.
Second Street Corp., dba Radisson Huntley Hotel, et al.

The judgment is affirmed. Costs on appeal awarded to respondents.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

September 25, 1998-Continued

DIVISION THREE (Continued)

B116332 People (Not for Publication)

V.

Harold Dean L.

The judgment (order continuing minor a ward of the court) is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B113862 People (Not for Publication)

V.

Morris

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.

Goodman, J. (Assigned)

B116250 People (Not for Publication)

V.

Martin

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.

Goodman, J. (Assigned)

September 25, 1998-Continued

DIVISION THREE (Continued)

B120735 People (Not for Publication)
v.
Knox

The judgment (order revoking probation) is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B110545 People v. Jurgen (Not for Publication)
B115724 In Re Albert Jurgen on H.C.

The judgment is affirmed as to all counts. The matter is remanded to the trial court for resentencing and preparation of abstracts of judgment in accordance with the views expressed in this opinion. The corrected abstracts are then to be forwarded to the Department of Corrections. The writ of habeas corpus is denied.

Goodman, J. (Assigned)

We concur: Croskey, Acting P.J.
 Kitching, J.

B116518 People (Not for Publication)
v.
Jimenez

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Goodman, J. (Assigned)

September 25, 1998-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Goodman, J. (Assigned)

B116005 People (Not for Publication)
v.
Rios

The judgment is reversed and the matter is remanded to the trial court of resentencing. The trial court is ordered to modify the June 6, 1997, minute order to read: "With regard to count I (possession of a firearm by a felon) only, Defendant admits the prior conviction in case number VA002703." The trial court is further ordered to modify the minute order of June 12, 1997, to reflect that appellant was found not guilty by the jury on count III. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Goodman, J. (Assigned)

September 25, 1998-Continued

DIVISION FOUR

B119864 Oliver (Not for Publication)

V.

Nager

The judgment (order of dismissal) is affirmed. Costs are awarded to respondent.

Hastings, J.

We concur: Epstein, Acting P.J.
Cooper(F.M.), J. (Assigned)

B110995 People (Not for Publication)

V.

Gudino

The judgment is reversed.

Epstein, Acting P.J.

We concur: Hastings, J.
Cooper (F.M.), J. (Assigned)

B116926 People (Not for Publication)

V.

Madrid

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Cooper (F.M.), J. (Assigned)

September 25, 1998-Continued

DIVISION FOUR (Continued)

[illegible]

The Court:

For the foregoing reasons, the judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B113026 People (Not for Publication)
v.
Keshishian and Torosyan

The judgments are affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B116384 People (Not for Publication)
v.
Singerman

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B111674 People (Not for Publication)

V.
Reginald Batiste

The judgment is affirmed. Upon issuance of remittitur, the clerk of the superior court is to correct the abstract of judgment to reflect the consecutive one-year county jail sentence to be served upon completion of the state prison sentence.

Turner, P.J.

I concur: Armstrong, J.
I concur & dissent: Grignon, J.(Opinion)

B114910	People v. Robinson & Taylor	(Not for Publication)
B121647	In Re Shaunta Taylor	

The judgment against Robinson is affirmed. The judgment against Taylor is affirmed. The matter is remanded to the trial court to exercise its discretion to impose consecutive or concurrent sentences. Taylor's petition for writ of habeas corpus is denied.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B120510 Los Angeles County, D.C.S. (Not for Publication)
v.
Ronald and Victoria T.
In Re Victor T.

The order terminating parental rights is affirmed. The appeal from the December 12, 1997 order terminating visitation is dismissed as untimely.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

B123789 In re Elizabeth S., a Minor (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children & Family
Services, r.p.i.)

The petition for extraordinary writ is denied.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

DIVISION SIX

B111401 Steinberg (Not for Publication)
v.
Prudential Health Care

The orders granting summary judgment are reversed. Costs to appellant.

Coffee, J.

We concur: Gilbert, Acting P.J.
Yegan, J.